REMARKS

Applicants request favorable reconsideration, withdrawal of the outstanding rejections, and allowance of this application in view of the foregoing amendments and the following remarks.

Claims 1-3, 7-21, 23-25, 29-43, 45, 46, 49-58, 49-58, and 60-66 are pending, of which Claims 1, 23, 45 and 60 are independent. Claims 1, 23, 45, and 60 have been amended to correct minor informalities therein. Applicants assert that these amendments place the claims in better condition for reconsideration and/or appeal, and do not present new issues for the Examiner's consideration because of their minor character. Claims 2, 24, and 46 have been amended to more clearly define embodiments of Applicants' invention involving the virtual concierge. Applicants assert that these amendments also place the claims in better condition for reconsideration and/or appeal, and do not present new issues for the Examiner's consideration because the Examiner has already considered the argument that the concierge is a virtual concierge. Applicants submit that support for the amendments can be found throughout the originally-filed disclosure. Thus, no new matter has been added.

Claims 1, 7-13, 19, 20, 23, 29-35, 41, 42, 45, 50-54, 57, and 60 were rejected under 35 U.S.C. § 103(a) over Sandus et al. (U.S. Patent Application Publication No. 2002/0072993) in view of Su (U.S. Patent Application Publication No. 2002/0026380) and Nowers et al. (U.S. Patent Application Publication No. 2003/0033205). Claims 2, 24, and 46 were rejected under 35 U.S.C. § 103(a) over Sandus et al. in view of Su and Nowers et al., and further in view of Covington et al. (U.S. Patent Application Publication No. 2003/0154135). Claims 3, 25, and 49 were rejected under 35 U.S.C. § 103(a) over Sandus et al. in view of Su and Nowers et al., and

further in view of Olefson (U.S. Patent Application Publication No. 2003/0083957). Claims 14, 15, 36, and 37 were rejected under 35 U.S.C. § 103(a) over Sandus et al. in view of Su and Nowers et al., and further in view of DeAngelis (U.S. Patent Application Publication No. 2005/0075940). Claims 16-18, 38-40, and 55-56 were rejected under 35 U.S.C. § 103(a) over Sandus et al. in view of Su and Nowers et al., and further in view of Howell et al. (U.S. Patent Application Publication No. 2003/0195818). Claims 21, 22, 43, 44, 58, and 59 were rejected under 35 U.S.C. § 103(a) over Sandus et al. in view of Su and Nowers et al., and further in view of Czepluch (U.S. Patent Application Publication No. 2003/0069832). Applicants traverse these rejections for at least the following reasons.

Claim 1 recites a method for a user to shop online in a three dimensional (3D) virtual reality (VR) setting. An embodiment of the method comprises: receiving a request at a shopping server to view a virtual shopping location; displaying the virtual shopping location on a user computer in a 3D interactive simulation view via a web browser to emulate a real-life shopping experience for the user, the virtual shopping location having at least one store; obtaining a request to enter into a store of the virtual shopping location; displaying an actual store website of the store on the user computer in the same web browser, in response to the request to enter into the store, wherein the actual store website of the store is linked to the virtual shopping location and wherein the actual store website is independently managed by the store and does not reside on the shopping server; receiving a request to insert the product into a virtual shopping cart, wherein the receiving of a request to insert includes storing the product into a shopping cart memory; and receiving a request to purchase products in the virtual shopping cart, wherein the products in the virtual shopping cart are from different stores of the virtual shopping location

("multi-store shopping cart feature").

In Applicants' previous response, dated January 11, 2008, Applicants presented the following patentability argument:

> Nowers was relied upon in the Office Action to teach receiving a request to purchase products in the virtual shopping cart, wherein the products in the virtual shopping cart are from different stores of the virtual shopping location. However, the shopping cart of products taught by Nowers does not include products from multiple retailers, and, therefore, does not receive a request to purchase products from different stores. Rather, Nowers teaches [a] shopping cart that combines products from different vendors, and distributes them through a single retail store. See Nowers, paragraphs 23 and 204. The vendors are not retailers, but rather suppliers for the retailers. As such, the vendors do not sell the products or offer them for sale to a user. Instead, the retailers offer the different vendor products for sale at a single store. Therefore, without conceding the propriety of the combination, Sandus, Su, and Nowers fail to teach or suggest at least receiving a request to purchase products in the virtual shopping cart, wherein the products in the virtual shopping cart are from different stores of the virtual shopping location.

In response, the current Office Action first states that vendors and stores are equivalent for purposes of judging patentability, and thus that Nowers et al.'s disclosure of a multi-vendor shopping cart is equivalent to the disclosure of a multi-store shopping cart.

Applicants respectfully disagree with the Examiner's assertion. In particular, Applicants assert that there are numerous considerations that make the two concepts fundamentally different, such that they cannot be considered equivalent. For example, in the technique of Nowers et al., a principal-agent relationship is created between the Internet retailer and the branded vendors (suppliers) (see paragraph [0021] and [0206]). Further, the goods from the multiple vendors are inventoried at a single location run by the Internet retailer (see Abstract). Also, most importantly, in Nowers et al. the consumer interacts only with the electronic storefront of the Internet retailer (see Abstract). Essentially, the branded vendors are hidden from the consumer, such that the consumer has no idea of the relationship between the Internet retailer

and the branded vendors, and has no direct interaction with the branded vendors. Contrariwise, in the present invention, the individual vendors remain independent, running their own stores and electronic storefronts, maintaining their own supplies, etc. The consumer interacts with the various electronic stores of the vendors and has a universal shopping cart into which the consumer places products from the different electronic stores of the different vendors. Notwithstanding this independence of the vendors, though, the consumer can purchase all of the items in the shopping cart through a single transaction. Applicants submit that these exemplary, fundamental differences illustrate that Nowers et al.'s branded vendors and the present invention's stores (of the multi-store shopping cart feature) cannot be considered equivalent for purposes of judging patentability.

The current Office Action also stated the following: "Even if, for the sake of argument, vendors and stores were not considered equivalent, one of ordinary skill in the art, when considering the Nowers reference, would find it obvious to include a multi-store shopping cart, given the presence of the multi-vendor shipping cart, considering the nearness of their meanings." Applicants respectfully disagree. Applicants assert that the two concepts are fundamentally different, as discussed above, and thus an ordinary artisan would not have found it obvious to devise the multi-store shopping cart feature of Applicants' invention. Further, Applicants assert that Nowers et al. actually teaches away from the multi-store shopping cart feature since the system of Nowers et al. actually teaches a single storefront run by a single entity (the Internet retailer).

For at least the foregoing reasons, Applicants submit that independent Claim 1 is allowable over Nowers et al. The other cited art of record does not remedy the above-noted

deficiencies of Nowers et al. Thus, Applicants assert that Claim 1 is allowable over the cited art of record. Further, independent Claims 23, 45, and 60 recite a feature similar to that discussed above relative to Claim 1, and thus Claims 23, 45, and 60 are allowable for similar reasons.

The remaining claims in the application are dependent on one of Claims 1, 23, 45, and 60, and are thus allowable by virtue of their dependency on allowable claims. Further, the dependent claims are also allowable for reciting additional patentable features of Applicants' invention. For example, amended dependent Claims 2 and 24 recite that the displaying of the virtual shopping location includes introducing a virtual concierge to the user. Claim 46 recites a similar feature. The Office Action relies on Covington et al. to teach this feature. However, the concierge taught by Covington et al. is not introduced to the user at the virtual shopping location and is not a virtual concierge. Rather, Covington et al. teaches a concierge that is real and is physically located at a real mall. Covington et al., paragraph 14. As such, without conceding the propriety of the combination, Sandus et al., Su, and Covington et al. fail to teach or suggest at least this virtual concierge feature. Applicants request independent consideration of the dependent claims.

Applicants submit that all outstanding matters in this application have been addressed and request favorable reconsideration and an early Notice of Allowance. Should the Examiner deem this application not in condition for allowance, Applicants request that the Examiner contact their undersigned representative to discuss at least the multi-store shopping cart feature of Applicants' invention with respect to the cited art.

Applicants' undersigned attorney may be reached in our Washington D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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